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		Application Number	10/027,940
		Filing Date	December 19, 2001
		First Named Inventor	Pablo I. Rovira
		Group Art Unit	2877
		Examiner Name	Hoa Q. Pham
Total Number Of Pages In This Submission	7	Attorney Docket No.	NAN027 US

**ENCLOSURES (check all that apply)**

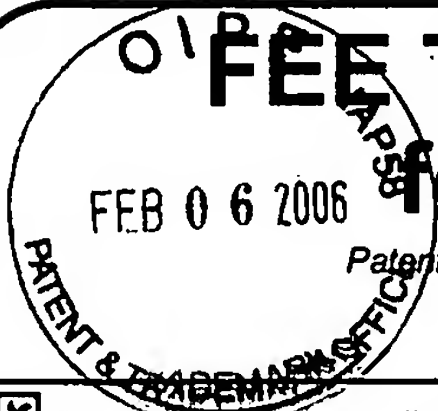
<input checked="" type="checkbox"/> Fee Transmittal (1 page)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached (PTO-2038)	<input type="checkbox"/> Drawing(s) (Cover page and 7 sheets)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	* Return Receipt Postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	* Fee Transmittal Form (PTOL-85, Part B) (in duplicate)
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		* Comments on Reasons for Allowance (1 page)
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual Name	Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
Signature	
Date	February 6, 2006


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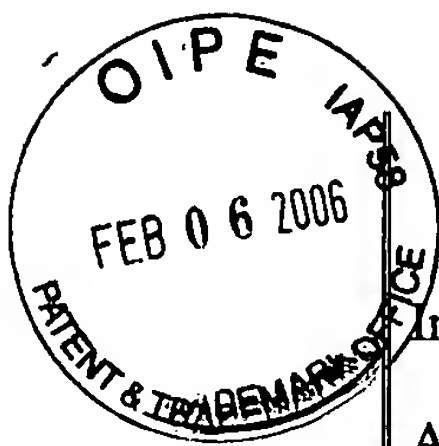
 <h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2005</h2> <p style="font-size: small;">Patent fees are subject to annual revision.</p>		<b>Complete If Known</b>	
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		Filing Date	December 19, 2001
		First Named Inventor	Pablo I. Rovira
		Examiner Name:	Hoa Q. Pham
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Group Art Unit	2877
		Attorney Docket No.:	NAN027 US
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\$)<u>200.00</u></b>	

<h3 style="text-align: center;">METHOD OF PAYMENT</h3> <p> <input type="checkbox"/> Check           <input checked="" type="checkbox"/> Credit Card           <input type="checkbox"/> Money Order           <input type="checkbox"/> Other           <input type="checkbox"/> None       </p> <p> <input checked="" type="checkbox"/> Deposit Account       </p> <p>         Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-2263</span> </p> <p>         Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Silicon Valley Patent Group LLP</span> </p> <p> <b>The Director is authorized to: (check all that apply)</b> </p> <p> <input type="checkbox"/> Charges fees(s) indicated below           <input checked="" type="checkbox"/> Credit any Overpayments       </p> <p> <input checked="" type="checkbox"/> Charges any additional fee(s) or any underpayment of fee(s)       </p> <p> <input type="checkbox"/> Charges fee(s) indicated below, except for the filing fee to the above-identified deposit account.       </p> <h3 style="text-align: center;">FEE CALCULATION</h3> <h4>1. BASIC FILING FEE</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity Fee</th> <th colspan="2">Small Entity Fee</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>Code</th> <th>(\$)</th> <th>Code</th> <th>(\$)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>790</td> <td>2001</td> <td>395</td> <td>Utility Filing Fee</td> <td></td> </tr> <tr> <td>1002</td> <td>350</td> <td>2002</td> <td>175</td> <td>Design Filing Fee</td> <td></td> </tr> <tr> <td>1003</td> <td>550</td> <td>2003</td> <td>275</td> <td>Plant Filing Fee</td> <td></td> </tr> <tr> <td>1004</td> <td>790</td> <td>2004</td> <td>395</td> <td>Reissue Filing Fee</td> <td></td> </tr> <tr> <td>1005</td> <td>160</td> <td>2005</td> <td>80</td> <td>Provisional Filing Fee</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td><b>(\$)</b></td> <td></td> </tr> </tbody> </table> <h4>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</h4> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3"></th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td></td> <td></td> <td>-20**=</td> <td>x</td> <td>=</td> </tr> <tr> <td>Independent Claims</td> <td></td> <td></td> <td>-3**=</td> <td>x</td> <td>=</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>x</td> <td>=</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity Fee</th> <th colspan="2">Small Entity Fee</th> <th>Fee Description</th> </tr> <tr> <th>Code</th> <th>(\$)</th> <th>Code</th> <th>(\$)</th> <th></th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>50</td> <td>2202</td> <td>25</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201</td> <td>100</td> <td>2201</td> <td>100</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203</td> <td>300</td> <td>2203</td> <td>150</td> <td>Multiple dependent claim, if not paid</td> </tr> <tr> <td>1204</td> <td>88</td> <td>2204</td> <td>44</td> <td>** Reissue independent claims over original patent</td> </tr> <tr> <td>1205</td> <td>18</td> <td>2205</td> <td>9</td> <td>** Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td><b>(\$)</b></td> </tr> </tbody> </table> <p>** or number previously paid if greater; For Reissues see above</p>	Large Entity Fee		Small Entity Fee		Fee Description	Fee Paid	Code	(\$)	Code	(\$)			1001	790	2001	395	Utility Filing Fee		1002	350	2002	175	Design Filing Fee		1003	550	2003	275	Plant Filing Fee		1004	790	2004	395	Reissue Filing Fee		1005	160	2005	80	Provisional Filing Fee		<b>SUBTOTAL (1)</b>				<b>(\$)</b>					Extra Claims	Fee from below	Fee Paid	Total Claims			-20**=	x	=	Independent Claims			-3**=	x	=	Multiple Dependent				x	=	Large Entity Fee		Small Entity Fee		Fee Description	Code	(\$)	Code	(\$)		1202	50	2202	25	Claims in excess of 20	1201	100	2201	100	Independent claims in excess of 3	1203	300	2203	150	Multiple dependent claim, if not paid	1204	88	2204	44	** Reissue independent claims over original patent	1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	<b>SUBTOTAL (2)</b>				<b>(\$)</b>	<h3 style="text-align: center;">FEE CALCULATION (continued)</h3> <h4>3. 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late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within one month		1252	430	2252	215	Extension for reply within second month		1253	980	2253	490	Extension for reply within third month		1254	1,530	2254	765	Extension for reply within fourth month		1255	2,080	2255	1,040	Extension for reply within fifth month		1401	340	2401	170	Notice of Appeal		1402	340	2402	170	Filing a brief in support of an appeal		1403	300	2403	150	Request for oral hearing		1451	1,510	1451	1,510	Petition for a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,370	2453	685	Petition to revive - unintentional		1501	1,370	2501	685	Utility issue fee (or reissue)		1502	490	2502	245	Design issue fee		1503	660	2503	330	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee for provisional applications		1806	180	1806	180	Submission of Information Disclosure Statement		8021	40	8021	40	Recording each patent assignment per properties (times number of properties)		1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))		1801	790	2801	395	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other Fee (specify)				Application for Patent Term Adjustment 1.18(e)	200
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Submitted By



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Pablo I. Rovira; Lars Markwort  
Assignee: Nanometrics Incorporated  
Title: Pulsed Spectroscopy with Spatially Variable Polarization Modulation Element  
Serial No.: 10/027,940 Filing Date: December 19, 2001  
Examiner: Hoa Q. Pham Group Art Unit: 2877  
Docket No.: NAN027 US Confirmation No.: 2588

Santa Clara, California  
February 6, 2006

Mail Stop Issue Fee  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMENTS ON REASONS FOR ALLOWANCE

Dear Sir:

In the Reasons for Allowance dated November 10, 2005, the Examiner stated

The prior art of record taken alone or in combination, fails to disclose or render steps or limitations "a spatially dependent polarizing element in the path of the pulsed electromagnetic beam that varies the phase of the pulsed electromagnetic beam spatially along a first direction and "a multi-element detector within the path of the pulsed electromagnetic beam after the spatially dependent polarizing element, wherein the multi-element detector detects the intensity of the pulsed electromagnetic beam as a function of phase along the first direction and as a function of wavelength along the second direction", in combination with the rest of the limitations of Claims 1, 9, and 14.

Applicant notes that the quoted limitations are only from Claim 1 and that Claims 9 and 14 do not recite the above quoted limitations. Accordingly, it is inappropriate to read such limitations into Claims 9 and 14. Applicant submits that each of Claim 9 and Claim 14 are allowable for their respective limitations and not for reasons related to limitations found in any other independent claim.

Should there be any questions concerning these Comments, the Examiner is invited to undersigned at (408) 982-8202.

Via Express Mail Label No.  
EV 655 768 363 US

Respectfully submitted,

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